

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/688,711

REMARKS

Applicants thank the Examiner for entering the amendments filed on April 30, 2004 (the “April 2004 Amendment”).

Claims 1-4 are all the claims pending in the application.

Claims 1 and 2 stand rejected under 35 U.S.C. 103(a) as being unpatentable over USP 6,108,341 to Christie in view of USP 6,560,327 to McConnel. Applicants respectfully disagree.

The telecommunication equipment recited in claim 1 includes a driver core and modules connected to the driver core, wherein the driver core includes: receiving means for receiving signaling messages corresponding to generic or specific requests; sending means for sending specific requests to the modules; and processing means for processing the generic requests.

In the April 2004 Amendment, Applicants argued that neither Christie nor McConnel teaches the driver core recited in claim 1 of the present application. The Examiner argued that Christie and McConnel are applied for the teaching of a control processing in a communications system, in which the processor is able to select network characteristics and signal the network based on the selections. However, such a processor does not teach or suggest any feature recited in claim 1.

The Examiner asserted that Christie teaches “sending the specific request to the modules” and “processing the generic request” recited in claim 1, referring to the following method steps of Christie: a first switch signaling a second switch and establishing a connection between the switches; and the second switch selecting the next network element and establishing a connection to that network element (Christie, col. 1, lines 60-67). Applicants respectfully

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disagree. The Examiner has read both the modules and the processing means recited in claim 1 on the second switch of Christie, which is improper.

The Examiner next asserted that Christie teaches the generic request and specific request recited in claim 1, referring to the paragraph bridging columns 4 and 5 Christie, which mentions that the connection is the media between two network elements that allows the transfer of information, and can be described in a range from general to specific. Applicants respectfully disagree. The words “from general to specific” in Christie are about the level of description, from less detailed to more detailed, of a connection between two network elements, and have nothing to do with telecommunication standards, or the recited generic request or specific request.

The Examiner then referred to Fig. 1 and col. 6, lines 6-20 of Christie. The Examiner first asserted that Christie teaches the recited feature “sending specific request signal”, because a first point 170 signals a telecommunication system 110 that it requests the communications path. The Examiner then asserted that Christie teaches the recited feature “processing generic request”, because a CCP 120 of the telecommunication system 110 processes the signaling and selects at least one network characteristic in response to the signaling. However, it is clear from Christie that the signaling processed by the CCP 120 is exactly the signaling from the first point 120. It is improper for the Examiner to read both the recited specific request and generic request on the same signaling in Christie.

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Thus, the Examiner has provided no reasonable support to his position that Christie teaches or suggests the invention of claim 1. The Examiner has failed to read the limitations of claim 1 on Christie.

The Examiner also referred to several parts of McConnel. However, the Examiner has failed to read any limitation of claim 1 on McConnel. The Examiner has not identified the limitation(s) missing from Christie but supplied by McConnell.

Thus, even if a skilled artisan were to combine the references, as the Examiner has suggested, he or she would not know what to pick from Christie, what to pick from McConnel, and how to put the part from Christie and the part from McConnell together to reconstruct the invention of claim 1. Accordingly, Applicants resubmit that the cited references, even if combinable, fail to teach or suggest the invention of claim 1.

The Examiner has argued that the test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. However, the combination of Christie and McConnell, taken as a whole, does not suggest the invention of claim 1.

The purpose of Christies is to make a portion of the communication control processing independent of the switches that form a part of the communications path. Christies provides a processor located externally to a switch. The processor generates a second signal in response to a first signal and transmits the second signal to a network element.

The purpose of McConnel is to facilitate alternative service providers (ASP) to compete with local exchange carrier (LEC). A first network controller has a mediated service logic

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module and a plurality of non-mediated service logic modules. If the predetermined service logic module of a customer is a non-mediated service logic module, the first network controller executes it to define a set of output parameters, formulates a first response message from the output parameters, and transmits it to the call connection system. If the predetermined service logic module is the mediated service logic module, the first network controller executes it to formulate an internetwork query.

Neither Christie nor McConnell teaches or suggests a driving core that has sending means for sending specific requests to the modules; and processing means for processing the generic requests. Given the different goals and solutions of Christie and McConnell, there is simply no reason for a skilled artisan to combine Christie and McConnell.

Even if a skilled artisan were to combine Christie and McConnell, the combination of the references, taken as a whole, would not suggest the invention of claim 1.

Accordingly, Applicants submit that the combination of the references is improper.

Furthermore, as previously presented, the recited generic requests are defined in the specification as requests common to various standards, and the recited specific requests are defined as requests specific to each standard. Neither of the cited references teaches or suggests the generic requests or specific requests of claim 1.

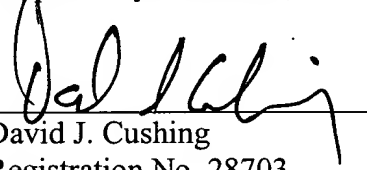
From the foregoing, Applicants resubmit that the cited references fail to teach or suggest the invention of claim 1, and claims 1-2 are patentable. Claims 3-4 are patentable for the same reason.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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